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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 JESSE KNERR,

10 Plaintiff,

11 v.

12 HENRY RICHARDS, Ph.D.,

13 Defendant.

Case No. 08-5021 RJB/KLS

AMENDMENT TO ORDER
DENYING MOTION FOR
APPOINTMENT OF COUNSEL

14 On January 20, 2009, this Court entered its Order denying Plaintiff's motion for the
15 appointment of counsel and struck Plaintiff's reply (Dkt. # 38) on the grounds that he had not
16 signed it as ordered. Dkt. # 40. Plaintiff did sign his reply on January 7, 2009, but it was not
17 docketed by the Clerk until January 26, 2009. Dkt. # 41. Therefore, it did not come to the Court's
18 attention at the time the motion was considered.

19 The Court has now considered the contents of Mr. Knerr's reply (Dkt. # 41), and finds no
20 showing of exceptional circumstances. As the Court noted earlier, Mr. Knerr has presented his
21 claims in a manner demonstrating an adequate ability to articulate his claims *pro se* and has not
22 demonstrated that the issues involved in this case are complex or that he has had any difficulties in
23 expressing them. There is nothing in the motion nor in his reply indicating that a finding of
24 exceptional circumstances is warranted in this case.

25 Accordingly, it is **ORDERED:**

26 (1) Plaintiff's motion to appoint counsel (Dkt. # 34) is **DENIED**.

27 (2) The Clerk is directed to send copies of this Order to Plaintiff and counsel for

1 Defendants.

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3 DATED this 28th day of January, 2009.

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6 Karen L. Strombom
7 United States Magistrate Judge
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